

Land Protection Plan

Chapter 1 — Introduction and Project Description

“In short, this view combined the sublime and beautiful: the great and lofty mountains covered with eternal snows, seemed to surround the luxuriant vale, crowned with perennial flowers, like a terrestrial paradise, shut out from the view of man.”

– Captain Zebulon Pike, on a hill overlooking the San Luis Valley, February 5, 1807

Through the San Luis Valley Conservation Area (SLVCA), the U.S. Fish & Wildlife Service (Service) seeks to protect the remarkable ecological values of the high-mountain desert that were so eloquently described during Pike’s Expedition to the southwest in the early 19th century. The SLVCA is a landscape-level strategic habitat conservation initiative within the boundaries of the Southern Rockies Landscape Conservation Cooperative. It encompasses the headwaters of the Rio Grande in southern Colorado and a small part of northern New Mexico.

The San Luis Valley is a large intermountain valley bounded by the San Juan and Sangre de Cristo Mountains, whose rain shadows result in high desert conditions. However, the complex hydrology of the valley and the snowmelt runoff from the mountains have created a variety of dynamic wetlands and riparian corridors on the valley floor, resulting in a diverse assemblage of plants and wildlife. The valley provides habitat for many trust species, including the southwestern willow flycatcher, western snowy plover, numerous species of migrating and nesting waterfowl, and 95 percent of the Rocky Mountain population of greater sandhill cranes.

Anthropogenic practices, primarily agriculture, have resulted in substantial changes to the hydrology of the San Luis Valley. Both reductions in surface flows due to diversions and lowering of the aquifer due to ground water extraction have resulted in a substantial loss of wetland habitat. Many of the remaining wetlands and their associated wildlife are maintained either accidentally as a product of agricultural water use or intentionally due to active manipulation such as irrigation with ground and surface water and the construction of dikes and ditches. The remaining wetlands and the low human population density associated with the largely agricultural economy of the valley have resulted in the San Luis Valley’s maintaining a significant portion of its biological value, particularly for migratory birds. However, rising agricultural

costs, including those resulting from the recent requirement to augment surface flows to offset the impacts of ground water use, have led to an unsettled agricultural economy. The potential for farmers and ranchers to sell water rights from their lands or even convert current land use practices from agricultural to residential, industrial, or municipal uses will continue to grow and threaten the biological integrity of the San Luis Valley.

The Service proposes to create the SLVCA to conserve a network of vital wildlife habitat through voluntary conservation easements and a limited amount of fee-title acquisition. An overview of the project area is provided in Figure 1. The SLVCA acquisitions will focus on the protection of wetlands and associated uplands in the valley through the use of up to 500,000 acres of conservation easements. Up to an additional 30,000 acres of fee-title acquisition from willing sellers has been proposed where such acquisition would benefit the management and objectives of the three existing refuges, but this tool would only be used when Service objectives could not be accomplished with conservation easements.

The Service will phase in implementation of the overall project. We anticipate focusing first on the southern Sangre de Cristo mountains, with conservation on the valley floor to follow. During this comment period we want to hear from all interested parties and partners to ensure we understand and consider any concerns or comments about the acquisition of easements in these areas. A Habitat Conservation Plan for the southwestern willow flycatcher is currently in development by local governments and pertains to the valley floor. This and considerations about the actual easement language as it relates to water use and rights may take longer to resolve. These issues are less likely to be concerns in the southern Sangre de Cristo mountains. Therefore, we anticipate that, if the overall plan is approved, we will focus our initial implementation efforts there.

Purpose of the SLVCA

The purpose of the SLVCA is to protect Federal trust species and other plants and wildlife of the San Luis Valley while ensuring the long-term function and

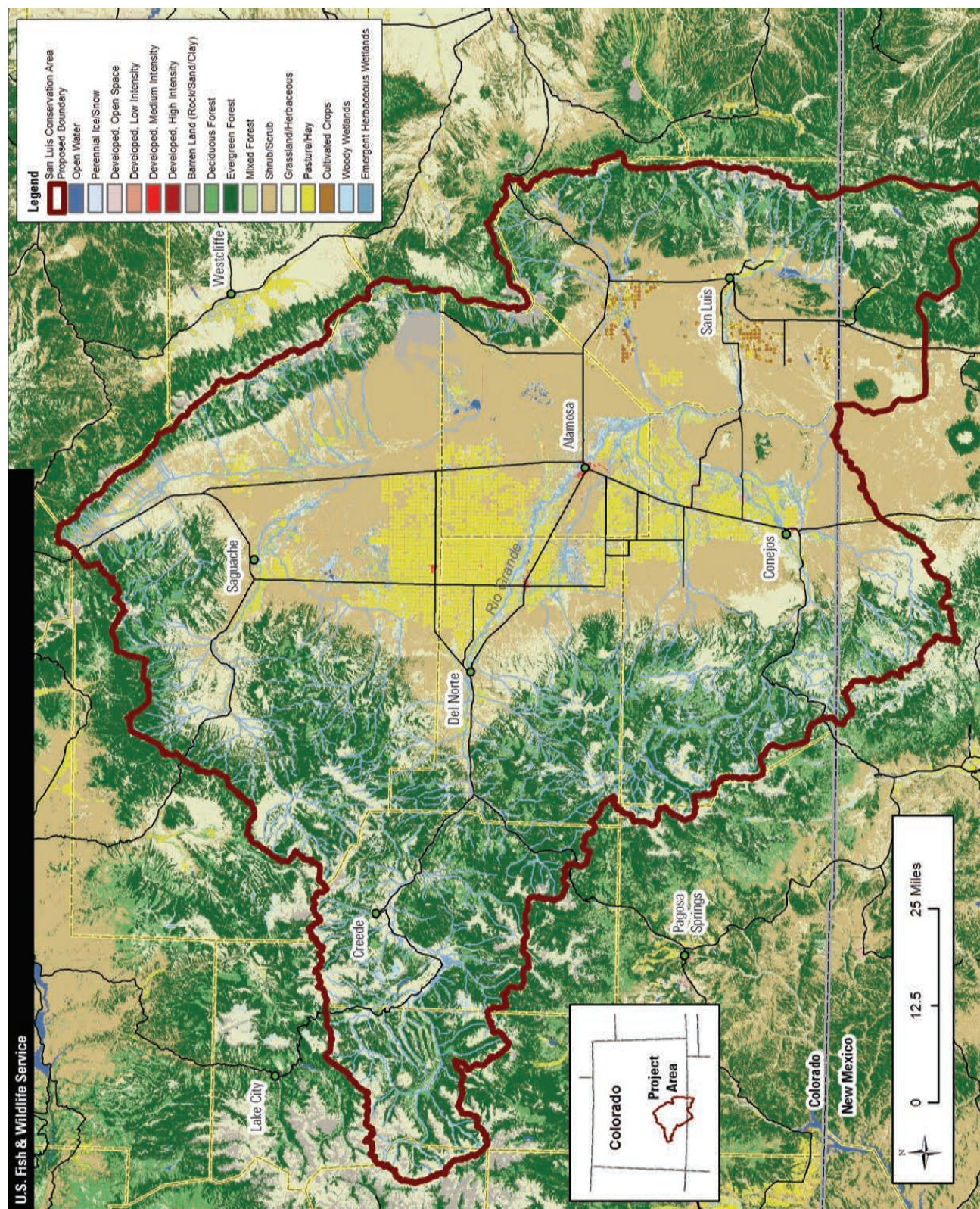


Figure 1. An overview of the general land cover of the SLVCA.

resilience of its diverse ecosystems. Acquisition and management of the SLVCA will focus on protecting riparian areas, wetlands, and key uplands that complement and connect existing protected areas and on maintaining and restoring the hydrology of the valley.

This purpose is in alignment with, but does not supersede, the vision and statutory purposes of the three existing refuges within the San Luis Valley National Wildlife Refuge (NWR) Complex, as described below.

SAN LUIS VALLEY REFUGE COMPLEX

Vision:

The San Luis Valley Refuge Complex, set in a high expansive desert valley, is cradled between the snowcapped peaks of the San Juan and Sangre de Cristo Ranges. Mountain snowmelt feeds the Rio Grande, numerous streams, and a dynamic groundwater system, creating a diverse mix of playas, wet meadows, and willow and cottonwood riparian corridors that are in stark contrast with the surrounding arid landscape. As reflected by 12,000 years of human history in the valley, the refuge complex attracts many people. Visitors experience the ancient song of the sandhill crane, witness evening flights of thousands of waterfowl, and listen to bugling elk. Through ever changing conditions, the refuges support and foster a collaborative spirit between their neighbors and partners to conserve the valley's treasured resources.

ALAMOSA AND MONTE VISTA NWRs

Vision:

Lands of the Alamosa and Monte Vista National Wildlife Refuge Complex and those owned by our partners will be managed in a way that contributes to the migratory bird resource in the San Luis Valley to the greatest extent possible to benefit people of the valley and the United States. Management will emphasize protection, enhancement, restoration, and, where appropriate, creation of a variety of wetland and riparian habitats in this water-rich yet arid mountain valley. Local residents and visitors will view refuge lands with a sense of pride and value their relationships and accomplishments with the U.S. Fish & Wildlife Service.

Purpose:

Alamosa and Monte Vista NWRs were established under the authority of the Migratory Bird Conservation Act "...for use as inviolate sanctuaries, or for any other management purpose, for migratory birds."

BACA NWR

Purpose:

The purpose of the Baca National Wildlife Refuge shall be to restore, enhance, and maintain wetland, upland, riparian, and other habitats for native wildlife, plant, and fish species in the San Luis Valley. In administering the Baca National Wildlife Refuge, the Secretary shall, to the maximum extent practicable – (A) emphasize migratory bird conservation; and (B) take into consideration the role of the Refuge in broader landscape conservation efforts; and (C) subject to any agreement in existence as of the date of enactment of this paragraph, and to the extent consistent with the purposes of the Refuge, use decreed water rights on the Refuge in approximately the same manner that the water rights have been used historically.

Issues Identified and Selected for Analysis

Please see discussion of Issues Identified and Selected for Analysis in Section 1.4 of the Environmental Assessment (EA) in this volume.

Public Review of and Comments on the Draft EA and LPP

To be populated following analysis of public comments on Draft EA/LPP

National Wildlife Refuge System and Authorities

Please see a discussion of the National Wildlife Refuge System and Authorities in Section 1.6 of the EA in this volume.

Related Actions and Activities

Please see a discussion of Related Actions and Activities in Section 1.5 of the EA in this volume.

Habitat Protection and the Easement Acquisition Process

Habitat protection will occur through the purchase of conservation easements and limited fee-title acquisition, where necessary and appropriate to meet the Service's conservation objectives. It is the Service's long-established policy to acquire the minimum interest in land from willing sellers to achieve habitat protection goals.

The acquisition authority for the SLVCA is the U.S. Fish and Wildlife Act of 1956.¹ The Federal money used to acquire conservation easements will largely come from the Land and Water Conservation Fund, which is derived from oil and gas leases on the Outer Continental Shelf, motorboat fuel tax revenues, and the sale of surplus Federal property. There could be additional funds to acquire interests in habitat and water through direct congressional appropriations, donations, and the Federal Land Trust Facilitation Act if Congress votes to reauthorize that act.

Conservation Easements and Other Acquisitions

An easement is a conservation tool that is commonly employed to conserve natural resources, and has been extensively employed in the SLVCA project area by other organizations. Easements involve the acquisition of certain rights to the property, such the right to subdivide or alter irrigation practices so as to drain wetlands, while leaving the land title in the hands of the private property owner. Easements tend to be a cost-effective and socially acceptable means of habitat conservation. Many of the current land use practices, such as flood irrigation for haying and grazing, are consistent with wildlife resource protection, and the use of easements will help ensure a strong and vibrant rural lifestyle.

There may be circumstances in which management objectives cannot be achieved, such as small boundary adjustments to existing refuges or purchase of land appurtenant to a water right acquired for augmentation of refuge wells or to improve hydrology on existing refuge lands. In these cases, the Service would consider the limited use of fee-title acquisition, not to exceed 30,000 acres, as was described in the preliminary project proposal for the SLVCA.

¹ 16 U.S.C. 742(a-j)

